

CONTROL OF NOISE AT WORK

Regulations 2005

www.lbhf.gov.uk

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HAVE YOU TAKEN ACTION?

A guide for employers
in pubs and clubs &
music venues



WHY ARE THERE NOISE REGULATIONS?

Noise-induced hearing-loss has been recognised by the World Health Organisation as 'the most prevalent irreversible industrial disease'. It is irreversible but **preventable**. The regulations are intended to protect employees from risks to their health arising from exposure to noise.

HOW DOES IT AFFECT ME?

Employers need to identify those employees who may be affected by noise exceeding the exposure action values, and take the appropriate measures to protect their hearing. There is support available to ensure pubs and clubs continue to provide entertainment to customers while at the same time ensuring that appropriate steps are taken to protect workers.

WHO NEEDS TO COMPLY?

Everyone involved in the music and entertainment business has a responsibility to help ensure that no one suffers hearing damage from exposure to excessive noise - this duty applies whether you are an employee, freelancer or contractor or are self employed, in management, an owner or a promoter. Even if you are only involved in occasional events or functions staff noise exposure must still be assessed and managed.

If music is to be played (especially loud amplified music) it would be good practice to assume there is a risk and some noise controls will be necessary.

If it is necessary to raise your voice to have a conversation at about two metres from another person, and the level of noise is like this or louder for more than about two hours a day the risks to the hearing of employees should be assessed and controlled alongside other health and safety issues.

WHAT ARE THE KEY REQUIREMENTS OF THE REGULATIONS?

The regulations require employers to:

- Assess and, if necessary, measure the levels of noise employees are exposed to.
- Eliminate the noise at source or, where this is not possible, reduce it to as low a level as reasonably practicable.
- Provide employees with suitable hearing protection where noise cannot be controlled at source.
- Ensure that legal limits on noise exposure are not exceeded.
- Provide employees with information, instruction and training.
- Carry out health surveillance, such as hearing tests, where the risk assessment indicates there is a risk to the health of employees.



WHAT ARE THE REQUIREMENTS OF THE REGULATIONS?

Noise is measured in units called decibels (dB). To account for the way that the human ear responds to sound of various frequencies a frequency weighting, known as the A-weighting, is commonly applied when measuring noise. When measuring impact or explosive noises, a C-weighting is applied to ensure that proper account is taken of the sound energy in the peak sound.

The Noise Regulations require employers to take specific action at certain action values. These relate to: the levels of noise exposure averaged over a working day or week; and the maximum noise exposure (peak sound pressure) in a working day.

Exposure action values and exposure limit values

	Daily or weekly personal average noise exposure	Peak sound level	Actions
Lower exposure action values	80 dB (A-weighted) or above Cannot take the effect of hearing protection into account	135 dB (C-weighted) or above Cannot take the effect of hearing protection into account	Undertake risk assessment. If any employees are identified as being particularly susceptible to noise, health surveillance should be implemented. Make suitable hearing protection available. Establish a maintenance programme for equipment supplied to reduce noise risk such as noise limiters and hearing protection. Provide training.
Upper exposure action values	85 dB (A-weighted) or above Cannot take the effect of hearing protection into account	137 dB (C-weighted) or above Cannot take the effect of hearing protection into account.	Implement the actions required by lower exposure action values (above). Establish and implement a programme of control measures. If these measures are not sufficient to reduce exposure below 85 dB then: suitable hearing protection must be worn; and a health surveillance programme implemented.
Exposure limit values	87 dB (A-weighted) Allowed to take hearing protection into account	140 dB (C-weighted) Allowed to take hearing protection into account	Relates to daily or weekly personal exposure to noise. Must reduce to below limit values.

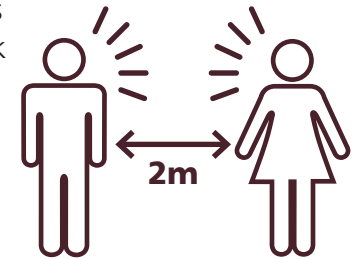
WHAT DO I NEED TO DO NOW?

Employers in the music and entertainment sectors must act now to comply with the regulations. Staff who work or perform in pubs or clubs where live or recorded amplified music is played are likely to experience high noise levels.



The first step is to establish whether there is a noise hazard through knowledge and simple observations. For example, ask yourself the following questions:

- Are employees exposed to noise which makes it necessary to shout rather than talk to someone one metre away, for more than about half an hour per day in total? The noise level here is probably 90 dB or more.
- Are employees exposed to noise which makes it necessary to raise their voice rather than talk to someone two metres away, for more than about two hours per day in total? The noise level here is probably 85 dB or more.
- Are employees exposed to noise, which makes it possible to talk to someone two metres away, but the noise is intrusive - comparable to a busy street, a typical vacuum cleaner or a crowded restaurant, for more than about six hours per day in total? The noise level here is probably 80 dB or more.



If the answer to any of these questions is yes, there are probably noise risks, which need to be properly assessed.

If the answer is no to all of these questions, and an employer is satisfied that the risk from exposure to noise has been reduced to as low a level as is reasonably practicable, it is sufficient to record that fact and take no further action.

NOISE RISK ASSESSMENT - IS IT TOO NOISY?



The aim of a noise risk assessment is to help decide what measures are necessary to ensure the health and safety of employees who are exposed to noise. It is more than just taking measurements of noise - sometimes measurements may not even be necessary. But it needs to be drawn up by someone who is competent to carry out the task and be based on

advice and information from people who are competent to provide it. This could be someone from within the organisation.

Noise risk assessments should:

- identify where there may be a risk from noise and who is likely to be affected;
- contain a reliable estimate of the noise exposure and compare this with the exposure action and limit values;
- identify what noise-control measures are needed and whether hearing protection is needed and, if so, where and what type;
- identify any employees who need to be provided with health surveillance and whether any are at particular risk.
- be reviewed regularly (at least every two years) and when work patterns or entertainment changes; when health surveillance shows hearing damage;

There are easy to use tools available on the HSE website (www.hse.gov.uk/noise) that allow noise exposure to be calculated based on information on likely noise levels and durations of exposure.

WHAT HAPPENS IF I DON'T DO ANYTHING, I'VE NEVER HAD TO BEFORE?



First of all, these noise regulations came in to force for entertainment venues in 2008 and before that the Noise at Work Regulations 1989 applied. The general legal duty for employers to manage noise in the workplace and to reduce the risk of hearing damage to employees to the lowest level reasonably practicable has been in place for many years.

Secondly, Hammersmith & Fulham Council, along with many other local authorities, is committed to working with managers and performers to help them comply with the regulations. For businesses that fail to comply, council officers will take a staged and proportionate approach to enforcement and can use statutory powers if employers fail to meet their obligations.

Thirdly, employers could also find themselves faced with civil claims from employees and ex-employees whose hearing has been irreversibly damaged due to exposure to workplace noise.

Employers must now have policies and measures in place, to meet these new duties and to protect their employees and freelance musicians and performers from risks from noise.

Where building works or replacement sound systems are required the Council recognises existing licensed premises may not be able to make these modifications immediately. Officers would expect to agree such solutions to be implemented on an agreed medium- or longer-term timescale.

New businesses will be expected to incorporate noise-control measures during the design stage and should contact council officers for advice before opening.

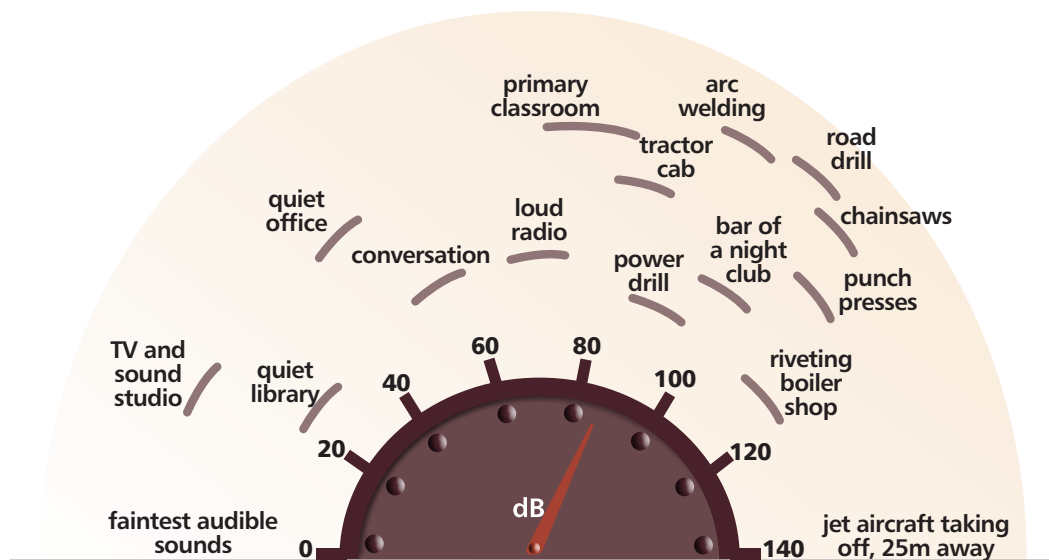
SOUND ADVICE - NOISE AT WORK IN MUSIC AND ENTERTAINMENT

The Sound Advice web site www.soundadvice.info/index.htm and Sound Advice HSG 260 publication, were launched in July 2008. They provide practical advice on controlling noise at work in the music and entertainment sectors, and identify good practice to help avoid the harmful effects of prolonged exposure to noise.

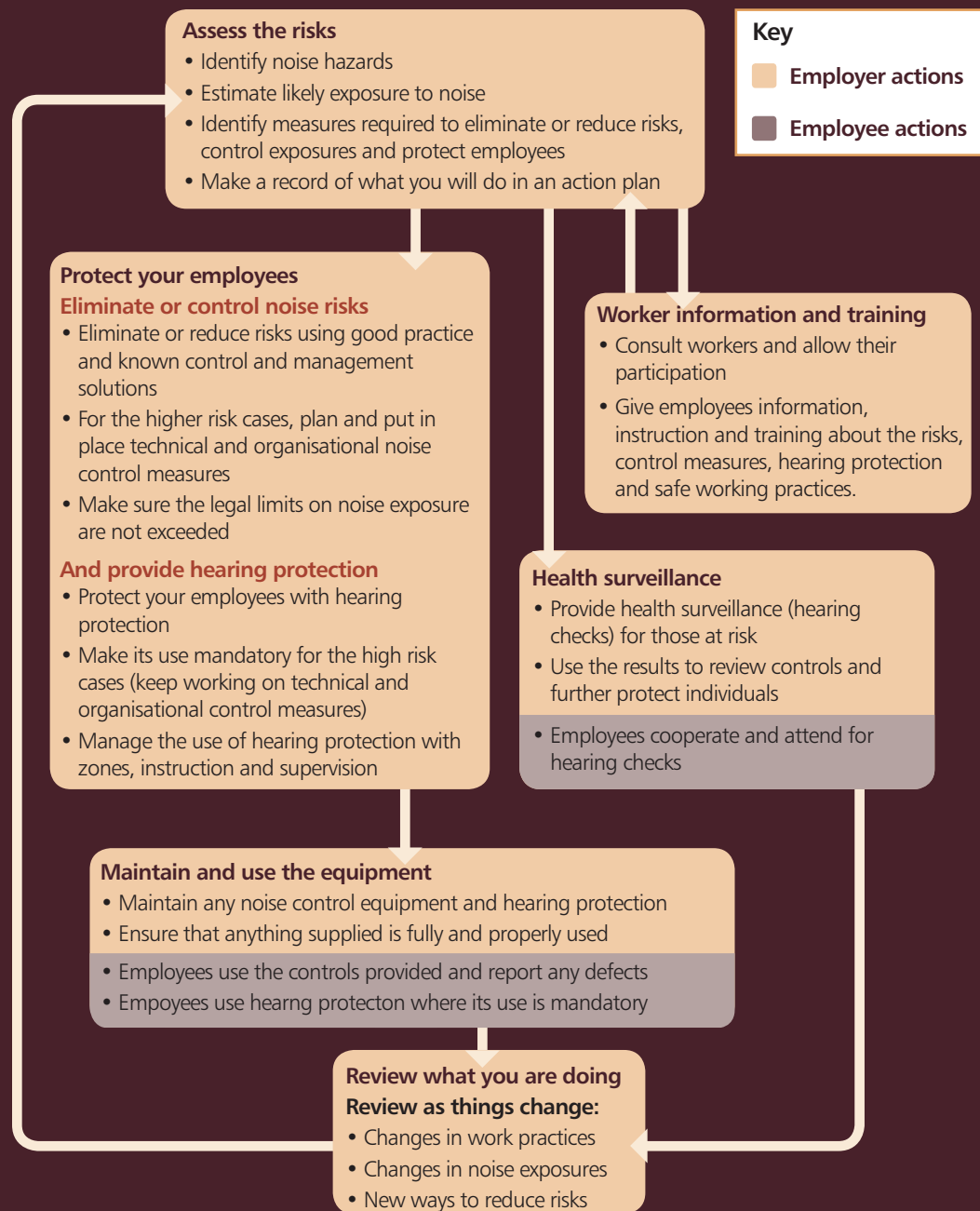
The guidance has been developed and supported by representatives from a wide range of music and entertainment sectors in Britain, including local authority Environmental Health Officers and the Health and Safety Executive (HSE).

Sound Advice shows how to control or reduce exposure to noise at work without stopping people from enjoying music, whether you are an employer, freelancer or employee.

Noise levels of every day activities



MANAGING NOISE RISKS





PRACTICAL NOISE CONTROL MEASURES

Noise control measures are not necessarily difficult or expensive.

Effective simpler controls include:

- Arranging work to minimise or eliminate noise exposure
- Position employees further from noise sources
- Keep equipment in good working condition and restrict access to the volume controls
- Use noise limiting equipment
- Providing suitable hearing protection as an interim measure to protect hearing
- Provide information, instruction and training to make sure everyone understands why protecting hearing is important. Give employees copies of Protect your hearing or lose it! Pocket card INDG363 free download from www.hse.gov.uk.

WHERE CAN I GET FURTHER HELP?

Commercial Services -

Hammersmith & Fulham Council

Tel: 020 8753 1081

Email: commercialservices@lbhf.gov.uk

Web: www.lbhf.gov.uk

Health & Safety Executive

Tel: 0845 345 0055 - Free advice from HSE Infoline

Web: www.hse.gov.uk/noise

Web: www.soundadvice.info

The Association of Noise Consultants

Tel: 020 8253 4518

Web: www.theanc.co.uk

The Institute of Acoustics

Tel: 01727 848 195

Web: www.ioa.org-uk

Royal National Institute for the Deaf (RNID)

Tel: 0808 808 0123

Email: informationline@rnid.org.uk

Web: www.rnid.org.uk

Musicians Union

Tel: 020 7840 5504

Web: www.musiciansunion.org.uk